

ARTICLE II. NONRESIDENTIAL CONSTRUCTION; APPROVAL AND COMPLIANCE

Sec. 8-26. Site Plans.

(a) *Use and structures.* No property shall be used and no structures shall be constructed or modified unless it is shown that a proposed use or structure is in compliance with all County regulations as verified by a Certificate of Zoning Compliance.

(b) *Building permit.* Before issuing any type of building permit for the site, the Building Official must receive a Certificate of Zoning Compliance approved by the Zoning Administrator.

(c) *Site plan required.* Prior to the issuance of the Certificate of Zoning Compliance by the Zoning Administrator, a site plan must be approved for any new nonresidential use or change of use and for all nonresidential construction including expansions and additions. Exemption of the requirement for a site plan approval for a change of use shall be granted by the Zoning Administrator upon determination of compliance with all of the following criteria: (Ord. No. 99-08, 6/24/99) **(Ordinance NO. 2001-06)**

1. No new building square footage is proposed for the new use (additions/expansions or new structures).
2. The proposed use is a permitted use in the zoning district (conditional uses not exempt).
3. The proposed use is a similar or less intensive use than the last authorized use of the property.
4. Thresholds for water use, septic systems, etc. are similar or less intensive than the last authorized use of the property.
5. The site complies with the minimum parking requirements for the proposed use and all other existing uses on site.
6. The site is in compliance with all conditions of approval, and site/landscape standards in effect at the time the previous use was authorized.

Exemption from the site plan approval process for a change of use does not also exempt the requirement for all other necessary permits and inspections. ***(Ordinance NO. 2001-06)***

(d) *Filing of Site Plan.* The Site Plan shall be submitted in accordance with the schedule of established application deadlines and meeting dates, a copy of which is available in the office of the Zoning Administrator. The site plan shall be deemed filed when it has been submitted to the Zoning Administrator. (Ord. No. 99-08, 6/24/99)

(e) *Site plan distribution.* Fifteen (15) copies of a 24" by 36" site plan shall be submitted to the Zoning Administrator for distribution and review including but not limited to the following: (Ord. No. 99-08, 6/24/99) ***(Ordinance NO. 2001-06)***

- (1) County Engineer

- (2) Zoning Administrator
- (3) Environmental Health Manager (Ord. No. 99-08, 6/24/99)
- (4) Fire Marshal
- (5) Water System Manager
- (6) Public Works Director
- (7) Planning Director
- (8) Georgia Department of Transportation (GDOT) when site accesses a State Route

(f) *Site plan contents.* A site plan must be prepared by an Engineer or Architect who is registered by the State and shall include, in addition to the certified property lines, all applicable information as required on the site plan review checklist, a copy of which is available at the office of the Zoning Administrator.: (Ord. No. 99-08, 6/24/99)

(g) *Department approval.* Upon completion of site plan review by the required departments, each department will return its comments to the Zoning Administrator, who will make the appropriate entries on the site plan review checklist and notify the applicant of approval, administrative conditions of approval, or additional requirements. (Ord. No. 99-08, 6/24/99)

(h) *Fee.* A site plan review and compliance fee as specified in this Code will be collected and a receipt provided at the time of issuance of the Certificate of Zoning Compliance by the Zoning Administrator and prior to the issuance of a building permit. (Ord. No. 99-08, 6/24/99)

(i) *Other plans required.* The following required plans may be may be submitted at the time of site plan submittal or may be submitted separately after site plan submittal: (Ord. No. 99-08, 6/24/99) (**Ordinance NO. 2001-06**)

- (1) Landscape, buffer and screening plan (three (3) sets).
- (2) A Sediment Control Plan, Tree Retention and Replacement Plan, and a Tree Preservation Plan, consistent with the standards of Article VI of the Development Regulations, shall be included with the Grading Plan. Specific instructions are available from the County Engineer. (Three (3) sets).
- (3) Grading Plan. Must include a Tree Retention/Preservation Plan if not included in the Sediment Control Plan. See Article VI of the Development Regulations. (Three (3) sets).

No clearing, grubbing or grading shall be undertaken until a land disturbance permit has been approved and visibly posted at the primary point of access to the property.

No clearing, grubbing or grading involving the use of explosives may be undertaken until a special permit has been issued by the Fire Marshal.

No installation or removal of underground tanks for Class I, II, III flammable liquids shall be undertaken until the appropriate permits and inspections have been conducted by the Fire Marshal.

(4) Hydrological study and detention basin design (three (3) sets).

(5) Water plan if required by the Water System (two (2) sets).

(6) Sign plan (two (2) sets).

(j) *Verification of lot.* In addition to an approved site plan, an applicant must provide verification that a plat of subdivision has been approved and recorded if required by the Subdivision Regulations.

(k) *Approval by Zoning Administrator.* Upon approval of the site plan by all the required departments, the Zoning Administrator may approve the Certificate of Zoning Compliance.

(l) *Certification to building official.* The applicant will be notified by the Zoning Administrator's issuance of the Certificate of Zoning Compliance that the site plan has been approved. The Certificate of Zoning Compliance will then be attached to the site plan review checklist and presented to the building official. (Ord. No. 99-08, 6/24/99) (**Ordinance NO. 2001-06**)

(m) *Construction plans.* Three (3) sets of building construction plans shall be submitted to the Fire Marshal for review and approval by both the Fire Marshall and the building official. Construction plans shall not be submitted to the Fire Marshal prior to the site plan approval process. (**Ordinance NO. 2001-06**)

(n) *Site plan changes.* Any deviations from an approved site plan must be shown on a revised site plan and approved by the County employee(s) having jurisdiction over the change. Changes shall be authorized in writing on the revised site plan by the appropriate County employee(s). A copy of the revised site plan will then be given to the building official for inclusion in the project file. (Ord. No. 99-08, 6/24/99)

(o) *Fire marshal approval.* The Fire Marshal shall approve all construction plans and submit to the building official a written report of compliance with the County Fire Prevention Code. Prior to any building construction, the applicant must obtain a construction permit through the Bureau of Fire Prevention. This permit will not be in lieu of required permits through the building official. (Ord. No. 99-08, 6/24/99)

- (p) *Certificate of Occupancy.* In no case shall a Certificate of Occupancy be issued by the building official unless an as-built condition is reflected on an approved site plan. (Ord. No. 86-13 § 2-1, 7-24-86; Ord. Of 3-24-88)
- (q) *Expiration of Certificate of Zoning Compliance.* If no application is made to obtain a building permit from the building official within twelve (12) months of the date of zoning compliance, then said compliance shall be deemed null and void. Any zoning compliance issued prior to the enactment date (April 24, 1997) of this subsection that has not been relied upon for an application to obtain a building permit for twelve (12) months from said enactment date shall be deemed null an void.
(Ord. No. 97-08, 4-24-97, Ord. No. 99-08, 6/24/99)

Sec. 8-27. Compliance.

- (a) *Batter board and footing inspection.* In addition to the footing inspection required by the Standard Building Code. A batter board inspection shall be required. The zoning administrator and the county engineer shall be notified by the building official whenever a batter board inspection is requested. The zoning administrator and the county engineer shall inspect the project and shall certify in writing to the building official that the building location and other aspects of the site comply with the approved site plan prior to a footing inspection by the building official. Boundary lines must be staked to allow the necessary measurements.
- (b) *Final and eighty percent inspections.* The building official shall notify the zoning administrator, the county engineer and the fire marshal whenever a final inspection is requested. The zoning administrator, the county engineer and the county fire marshal shall inspect the project and shall certify in writing to the building official that the site is in compliance, or that proper surety, as provided for in various county ordinances, has been posted. The building official shall not allow a structure to be occupied not issue a certificate of occupancy prior to receiving certification of approval in writing from the above named county employees. The fire marshal shall be notified directly by the owner or contractor whenever an eighty (80) percent inspection is due.

Cross references - Buildings, Ch. 5; fire prevention and protection, Ch. 9

- (c) *Fire marshal inspections.* In addition to requesting eighty (80) percent inspection directly from the bureau of fire prevention, an applicant shall notify the bureau of fire prevention for other scheduled inspections. The fire marshal shall report in writing to the building official any deficiencies noted during the inspections. Certificates of fire safety compliance issued by the fire marshal shall not grant authority to occupy a building until the appropriate certificates have been issued by the building official.
 - (d) *Multiple use building.* When final inspection is sought for a multiple-use building, as much as twenty-five (25) percent of the building's total gross floor area may be approved for occupancy by the building official prior to inspection and approval by the zoning administrator and the county engineer.
- (Ord. No. 86-13, § 2-2, 7-24-86; Ord. Of 7-23-87; Ord. Of 3-24-88)

Sec. 8-28 - 8-45. Reserved.